

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PAUL PHELPS,

Plaintiff,

v.

MANUEL PEREZ, et al.,

Defendants.

No. 1:22-cv-01406-ADA-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
DEFENDANT BETTIS

(ECF No. 20)

Plaintiff Paul Phelps (“Plaintiff”) is proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On June 20, 2023, the Magistrate Judge issued findings and recommendations recommending the dismissal of Defendant Bettis pursuant to Federal Rule of Civil Procedure 4(m). (ECF No. 20.) The findings and recommendations were served on Plaintiff and contained notice that objections were to be filed within fourteen days. (*Id.* at 3.) Plaintiff has not filed objections, and the time to do so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings and recommendations to be supported by the record and by proper analysis.


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1 Accordingly,

- 2 1. The findings and recommendation, filed on June 20, 2023, (ECF No. 20), is adopted
3 in full; and
4 2. Defendant Bettis is dismissed from the action, without prejudice, pursuant to Federal
5 Rule of Civil Procedure 4(m).
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8 IT IS SO ORDERED.

9 Dated: September 18, 2023

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UNITED STATES DISTRICT JUDGE